SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Second Amendment to Agreement between the Board of County Commissioners and Kimley-Horn and Associates, Inc. to add E-Verify language (Staff recommends approval).

REQUESTED ACTION: **Approval**

☐ Work Session (Report Only) **DATE OF MEETING:** 11/27/12
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☐ N/A Vendor/Entity: Kimley-Horn and Associates, Inc.

Effective Date: 3/25/2008 Termination Date:
Managing Division / Dept: Sumter County Public Works / Road and Bridge

BUDGET IMPACT: Varies
☒ Annual **FUNDING SOURCE:** Varies
☒ Capital **EXPENDITURE ACCOUNT:** Varies
☐ N/A

HISTORY/FACTS/ISSUES:

On March 25, 2008 the Board of County Commissioners of Sumter County, Florida entered into a "continuing contract" entitled Consulting Engineering Agreements with Kimley-Horn and Associates, Inc. to provide Professional Engineer Design Services. This agreement was amended on November 9, 2010 to allow for projects in which the estimated construction cost of each individual project under the contract does not exceed $2 million, for study activity if the fee for professional services for each individual study under the contract does not exceed $200,000, or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.

The BOCC has directed that all vendors doing business with Sumter County as of August 1, 2012 must certify that they are E-Verify compliant.

Attached is the second amendment to the agreement between the Board of County Commissioners and Kimley Horn and Associates, Inc., which add the following E-Verify paragraph:

E-Verify: system established by the U.S. Department of Homeland Security to determine the immigration and work-eligibility status of prospective employees.
The contractor agrees to certify to Sumter County (County) that they are in compliance with the federal E-Verify program; this includes obtaining written certification from all subcontractors who will participate in the performance of the contract. All subcontractor certifications must be kept on file by the general contractor and made available to the state and/or the County upon request. The Sumter County Board of County Commissioners reserves the right to take action against any contractor deemed to be non-compliant; potential actions may include, but are not limited to, cancellation of the contract and/or suspending or debarring the contractor from performing services for the County.

To comply with the BOCC direction, staff recommends the BOCC approve the second amendment to the current "continuing contract" agreement.